

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF STOUGHTON  
ANNUAL TOWN ELECTION AND TOWN MEETING WARRANT**

Norfolk, ss. Officer's Return, Stoughton:

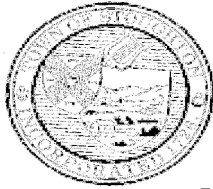
By virtue of this Warrant, I, on March , 2011 notified and warned the inhabitants of the Town of Stoughton, qualified to vote on Town affairs, to meet at the place and at the time specified by posting attested copies of this Annual Town Election and Town Meeting Warrant in the following public places within the Town of Stoughton:

Precinct 1	Stop & Shop	278 Washington Street
Precinct 2	Stoughton Public Library	84 Park Street
Precinct 3	Bob's Foodmart	289 Park Street
Precinct 4	Andy's Market	330 Plain Street
Precinct 5	Tomas Variety Store	257 School Street
Precinct 6	Stoughton Quick Stop	2139 Central Street
Precinct 7	Page's Grocery & Liquors	458 Pearl Street
Precinct 8	Town Hall	10 Pearl Street
Precinct 8	Stoughton Police Department	26 Rose Street

The date of posting being not less than fourteen (14) days prior to April 5, 2011, the date set for the Annual Town Election in this Warrant.

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Lawrence Verdun  
Constable  
Stoughton, MA



**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF STOUGHTON  
ANNUAL TOWN ELECTION AND TOWN MEETING WARRANT**

Norfolk, ss:

To any of the Constables of the Town of Stoughton, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Stoughton, qualified to vote in elections and town affairs to meet at the:

Precinct 1 – Joseph R. Dawe, Jr. Elementary School, 131 Pine Street;  
Precinct 2 – E. A. Jones Elementary School, 137 Walnut Street;  
Precinct 3 – South Elementary School, 171 Ash Street;  
Precinct 4 – Joseph H. Gibbons Elementary School, 235 Morton Street;  
Precinct 5 – Joseph H. Gibbons Elementary School, 235 Morton Street;  
Precinct 6 – Helen H. Hansen Elementary School, 1800 Central Street;  
Precinct 7 – West Elementary School, 1322 Central Street; and  
Precinct 8 – Robert G. O'Donnell Middle School, 211 Cushing Street

on

TUESDAY, THE 5<sup>th</sup> DAY OF APRIL, 2011  
from 7:00 a.m. – 8:00 p.m.

then and there to act on the following article(s):

**ARTICLE 1 (ID 1) ANNUAL TOWN ELECTION**

TO CHOOSE BY BALLOT THE FOLLOWING TOWN OFFICES:

**SELECTMEN:** Two to be elected for a term of three years.

**HOUSING AUTHORITY:** One to be elected to fill a vacancy of three years and One to be elected for a term of five years.

**REDEVELOPMENT AUTHORITY:** One to be elected for a term of five years and One to be elected for a term of two years to fill a vacancy.

**SCHOOL COMMITTEE:** Two to be elected for a term of three years.

**MODERATOR:** One to be elected for a term of one year.

Town Meeting Representatives:

<b>PRECINCT 1</b>	Seven to be elected for a term of three years.
<b>PRECINCT 2</b>	Seven to be elected for a term of three years; One member for one year;
<b>PRECINCT 3</b>	Seven to be elected for a term of three years;
<b>PRECINCT 4</b>	Seven to be elected for a term of three years;
<b>PRECINCT 5</b>	Seven to be elected for a term of three years; One member for one year;
<b>PRECINCT 6</b>	Seven to be elected for a term of three years; One member for one year;
<b>PRECINCT 7</b>	Seven to be elected for a term of three years; One member for one year; and
<b>PRECINCT 8</b>	Seven to be elected for a term of three years; Five members for two years;

**QUESTION:**

Shall this Town approve the charter amendment proposed by the Town Meeting summarized below?

YES.	
NO.	

Summary: The May 24, 2010 Annual Town Meeting approved an amendment to Section 8-4 of the Stoughton Town Charter. This section currently requires candidates for Town office, other than Town Meeting representatives, to file nomination papers with the Board of Voter Registrars 35 days before a preliminary Town election, while candidates for Town Meeting representative must file 35 days before the Annual Town Election. The proposed amendment, intended to make the filing deadlines consistent with Massachusetts election law, would require candidates for Town office to file nomination papers 49 days before a preliminary Town election, and candidates for Town Meeting representative would have to file 49 days before the Annual Town Election.

At seven-thirty o'clock in the evening, at which time and place the following articles are to be acted upon and determined exclusively by the Town Meeting Members in accordance with the provision of the Town of Stoughton Charter.

You are also to notify the inhabitants aforesaid to meet at:

STOUGHTON HIGH SCHOOL AUDITORIUM

ON MONDAY the SECOND DAY of MAY, 2011

at seven-thirty o'clock in the evening, then and there to act on the following Articles:

**ARTICLE 2 (ID 2) Receive Reports**

*Not assigned*

To see if the Town will vote to **receive the reports** of any Boards or Town Officers or of any Commission of the Town; or take any other action relative thereto.

Petitioner: Board of Selectmen  
January 3, 2011

**ARTICLE 3 (ID 3) Ambulance Dept. Enterprise Fund Budget**

**FINANCE\***

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to fund the **Ambulance Department** for Fiscal 2012; or take any other action relative thereto.

Petitioner: Board of Selectmen  
January 3, 2011

**ARTICLE 4 (ID 4) Cedar Hill Enterprise Fund Budget**

**FINANCE\***

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to fund the **Cedar Hill Golf Course** for Fiscal 2012; or take any other action relative thereto.

Petitioner: Board of Selectmen  
January 3, 2011

**ARTICLE 5 (ID 5) Public Health Assn. Enterprise Fund Budget**

**FINANCE\***

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to fund the **Stoughton Public Health Association** for Fiscal 2012; or take any other action relative thereto.

Petitioner: Board of Selectmen  
January 3, 2011

**ARTICLE 6 (ID 6) Sewer Dept. Enterprise Fund Budget**

**FINANCE\***

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to fund the **Sewer Department** for Fiscal 2012; or take any other action relative thereto.

Petitioner: Board of Selectmen  
January 3, 2011

**ARTICLE 7 (ID 7) Water Dept. Enterprise Fund Budget**

**FINANCE\***

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to fund the **Water Department** for Fiscal 2012; or take any other action relative thereto.

Petitioner: Board of Selectmen  
January 3, 2011

**ARTICLE 8 (ID 8) Revolving Funds**

**FINANCE\***

To see if the Town will vote to **re-authorize the use of the Revolving Accounts** as authorized under the provisions of M.G.L. Ch. 44, Section 53E ½ for the Council on Aging, the Recreation Department, the Geographic Information Systems, (GIS), the Stoughton Community Events Committee, the Stoughton Youth Commission, the Conservation Commission, the Board of Health (Hazardous Waste Material Control By-law), the Department of Public Works (Storm-water Management) and Compost Bin Program; or take any other action relative thereto.

Petitioner: Board of Selectmen  
January 3, 2011

**ARTICLE 9 (ID 9) Budget**

**FINANCE\***

To see what sum of money the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury, if any, for the **maintenance and support of the several departments of the Town** and for any other usual or necessary town charges for the Fiscal Year 2012; or take any other action relative thereto.

Petitioner: Board of Selectmen  
January 3, 2011

**ARTICLE 10 (ID 10) Supplement Fiscal Year 2011 Departmental Budgets**

To see if the Town will vote to transfer from available funds in the Treasury, if any, a sufficient sum of money to supplement Fiscal Year 2011 departmental budgets or fund previously approved articles; or take any other action relative thereto.

Petitioner: Board of Selectmen  
Requested by William Rowe, Town Accountant  
January 3, 2011

**ARTICLE 11 (ID 90) Purchase of 75 Lambert Avenue**

To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to purchase the following parcel of

land, as shown on Assessors Plan sheet No. 68, Parcel No. 235 containing 1.190 ac, more or less, and Plan sheet No. 68, Parcel No. 234 containing 641 square feet more or less, land now and of Margaret A. Donahue, Trustee, bounded and described as follows:

**PARCEL ONE:**

A certain parcel of land in Stoughton, Norfolk County, Massachusetts, shown as Lot B on a plan entitled, "Revised Plan of Land in Stoughton, Mass. Showing the combining of Lots Owned by Cohenno Inc. & Catherine M./ Cormon, Scale 1" = 40', Nov. 16, 1972, Edward C. Peterson, Reg. Prof. Eng. & Land Surveyor" recorded with Norfolk County Registry of Deeds as Plan No. 490 of 1973, Book 4927, Page 194, being more particularly described as follows:

Northwesterly by land of Harry Wolk, Trustee of Wolk Realty Trust, as shown on said Plan, one hundred fifty-seven and 50/100 (157.50) feet;  
Southwesterly by Lot C now or formerly of Cohenno Inc., as shown on said Plan, one Hundred eighty-one and 50/100 (181.50) feet;  
Southeasterly by Lot C now or formerly of Cohenno Inc., by Lot D now or formerly of Cohenno Inc., and by land now or formerly of Martin G. Cohenno, as Shown on said Plan, by three lines totaling one hundred fifty-four and 62/100 (154.62) feet; and  
Northeasterly by lot A now or formerly of Catherine M Cormon, as shown on said plan, one hundred seventy-six and 65/100 (176.65) feet.

Said lot containing 27,903 square feet of land, according to said Plan.

Meaning and intended to convey the same premises conveyed to James J. Donahue and James J. Donahue, Jr. by Deed of David P. Wolk and Steven C. Greene, dated February 4, 1977, and recorded with Norfolk County Registry of Deeds at Book 5311, Page 499.

**PARCEL TWO:**

The land and buildings in Stoughton, Norfolk County, Massachusetts, situated on the Northerly side of Lambert Avenue and described as follows:

Beginning at an iron pin set in the ground at the intersection of the Northerly street line of Lambert Avenue and the Westerly street line of Rockland Street:

Thence N. 56 degree 00' 00" W. 164.73 feet, by the land of Fred N. Cohenno to a stake;  
Thence N. 34 degree 00' 00" E. 148.85 feet, by the land of Fred N. Cohenno to a corner of the wall at the land of Harold W. & Catherine M. Cormon;  
Thence S. 41 degree 29' 48" E. 181.50 feet, by the land of said Cormon to a corner;  
Thence N. 51 degree 06' 00" E. 101.08 feet, by the land of said Cormans to a state at a corner;  
Thence S. 56 degree 00' 00" E. 126.29 feet, by the land of Fred N. Cohenno to a corner;  
Thence S. 34 degree 00' 00" W. 200.00 feet, by the land of Fred N. Cohenno and land of Beatrice H. Rockwood to a stake set in the Northerly street line of Lambert Avenue.  
Thence N. 56 degree 00' 00" W. 167.00 feet along the Northerly street line of Lambert Avenue to the iron pin at the point of beginning.

Being shown as Lots C and D on a plan entitled, "Revised Plan of Land in Stoughton, Mass. Showing the Combining of Lots owned by Cohenno Inc. & Catherine M. Corman, Scale 1" = 40', Nov. 16, 1972, Edward C. Peterson, Reg. Eng. & Reg. Land Surveyor" recorded with Norfolk County Registry of Deeds as Plan No. 490 of 1973, Book 4927, Page, containing 51,929.54 square feet of land.

Meaning and intending to convey the same premises conveyed to James J. Donahue and James K. Donahue, Jr. by Deed of David P. Wolk and Steven C. Greene, dated February 4, 1977, and recorded with Norfolk County Registry of Deeds at Book 5311, Page 498.

; or take any other action relative thereto.

Petitioner: Board of Selectmen  
February 1, 2011

#### **ARTICLE 12 (ID 82) Accept and Contract Funds for Town Roads**

To see if the Town will vote to authorize the Board of Selectmen to accept and enter into contracts for the expenditure of any funds allocated or to be allocated by the Commonwealth for the construction, reconstruction, and improvements of Town roads; or to take any other action relative thereto.

Petitioner: Board of Selectmen  
January 28, 2011

#### **ARTICLE 13 (ID 83) Apply for and Accept Federal/State Funding**

To see if the Town will vote to authorize the Board of Selectmen to apply for and accept any Federal and/or State Funding which may be available to the Town; or to take any other action relative thereto.

Petitioner: Board of Selectmen  
January 28, 2011

#### **ARTICLE 14 (ID 41) Unpaid Bills**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to pay any **unpaid bills** from prior fiscal years in excess of departmental appropriations; or to take any other action relative thereto.

Petitioner: Board of Selectmen  
Requested by William Rowe, Town Accountant  
January 3, 2011

**ARTICLE 15 (ID 62)            Rescind Unissued Borrowing Authorizations**

To see if the Town will vote to rescind the unissued borrowing authorizations on certain previously voted town meeting articles; or take any other action relative thereto.

Petitioner:     Board of Selectmen  
                    Requested by William Rowe, Town Accountant  
                    January 3, 2011

**ARTICLE 16 (ID 85)            Stabilization Fund**

To see if the Town will vote to raise and appropriate, or transfer from available funds, if any, in the Treasury to fund the Stabilization Fund established in accordance with Massachusetts General Laws, Chapter 40, Section 5B; or to take any other action relative thereto.

Petitioner:     Board of Selectmen  
                    Requested by William Rowe, Town Accountant  
                    January 28, 2011

**ARTICLE 17 (ID 92)            Federal Reimbursement of Health Services**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, a sufficient sum of money to pay for services in order to recover Federal reimbursement of health related services provided to Chapter 766 students; or to take any other action relative thereto.

Petitioner:     Board of Selectmen  
                    Requested by Thomas Rorrie, Treasurer/Collector  
                    February 1, 2011

**ARTICLE 18 (ID 74)            Collective Bargaining – Town Hall Employees Assoc.**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds in the Treasury, if any, a sufficient sum of money to implement a collective bargaining contract between the Town and the Stoughton Town Hall Employees Association; or to take any other action relative thereto.

Petitioner:     Board of Selectmen  
                    January 28, 2011

**ARTICLE 19 (ID 75)            Collective Bargaining – Stoughton Professional/Admin.**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds in the Treasury, if any, a sufficient sum of money to implement a collective bargaining contract



between the Town and the Stoughton Professional/Administrative Employees Association; or to take any other action relative thereto.

Petitioner: Board of Selectmen  
January 28, 2011

**ARTICLE 20 (ID 88) Patrolman Contract – 2007-2010**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to implement a collective bargaining contract between the Town and the Stoughton Police Patrolman's Association for the period July 1, 2007 through June 30, 2010; or to take any other action relative thereto.

Petitioner: Board of Selectmen  
February 1, 2011

**ARTICLE 21 (ID 89) Superior Police Officers – 2007-2010**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to implement a collective bargaining contract between the Town and the International Brotherhood of Superior Police Officers, Local 400, for the period July 1, 2007 through June 30, 2010; or to take any other action relative thereto.

Petitioner: Board of Selectmen  
February 1, 2011

**ARTICLE 22 (ID 79) Collective Bargaining – Police Patrolman's Assoc.**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds in the Treasury, if any, a sufficient sum of money to implement a collective bargaining contract between the Town and the Stoughton Police Patrolman's Association; or to take any other action relative thereto.

Petitioner: Board of Selectmen  
January 28, 2011

**ARTICLE 23 (ID 80) Collective Bargaining – Superior Police Officers Local 400**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds in the Treasury, if any, a sufficient sum of money to implement a collective bargaining contract between the Town and the International Brotherhood of Superior Police Officers, Local 400; or to take any other action relative thereto.

Petitioner: Board of Selectmen  
January 28, 2011

**ARTICLE 24 (ID 76)                      Collective Bargaining – Local 1512 Firefighters**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds in the Treasury, if any, a sufficient sum of money to implement a collective bargaining contract between the Town and the Local 1512 International Association of Firefighters A.F.L. – C.I.O; or take any other action relative thereto.

Petitioner:     Board of Selectmen  
                      January 28, 2011

**ARTICLE 25 (ID 77)                      Collective Bargaining – Public Works Assoc.**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds in the Treasury, if any, a sufficient sum of money to implement a collective bargaining contract between the Town and the Public Works Association; or to take any other action relative thereto.

Petitioner:     Board of Selectmen  
                      January 28, 2011

**ARTICLE 26 (ID 78)                      Collective Bargaining – Library Staff Local 4928**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds in the Treasury, if any, a sufficient sum of money to implement a collective bargaining contract between the Town and the Library Staff Association Local 4928, MLSA, MFT, AFT, AFL-CIO; or to take any other action relative thereto.

Petitioner:     Board of Selectmen  
                      January 28, 2011

**ARTICLE 27 (ID 81)                      Town Employees Not In Collective Bargaining**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds in the Treasury, if any, a sufficient sum of money to implement a salary increase for those town employees not subject to collective bargaining agreements; or to take any other action relative thereto.

Petitioner:     Board of Selectmen  
                      January 28, 2011

**ARTICLE 28 (ID 61)                      Financial System Upgrade**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to pay for hardware, software, training, wiring and any other required supplies or services to implement the KVS Information

Systems General Receipts module in those departments that collect money; or take any other action relative thereto.

Estimated Cost: \$43,000.00

Petitioner: Board of Selectmen  
Requested by William Rowe, Town Accountant  
January 3, 2011

### **ARTICLE 29 (ID 12) Replace Ambulance #3**

To see whether the town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to pay for the purchase to replace Ambulance # 3 (1998); or to take any other action relative thereto.

Estimated cost: \$ 250,000.00

Petitioner: Board of Selectmen  
Requested by David Jardin, Fire Chief  
December 8, 2010

### **ARTICLE 30 (ID 13) Emergency Medical Upgrades**

To see whether the town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money for Emergency Medical Upgrades; or to take any other action relative thereto.

Estimated cost: \$ 75,000.00

Petitioner: Board of Selectmen  
Requested by David Jardin, Fire Chief  
December 8, 2010

### **ARTICLE 31 (ID 14) Re-use Chassis**

To see whether the town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to pay for the purchase to re-use the chassis from the 1998 Ambulance (ID 12) and put the body from the Fire Alarm Bucket Truck (1993) on the chassis; or to take any other action relative thereto.

Estimated Cost: \$ 10,000.00

Petitioner: Board of Selectmen  
Requested by David Jardin, Fire Chief  
December 8, 2010

**ARTICLE 32 (ID 15) Emergency Vehicle Operations Driving Program**

To see whether the town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money for an Emergency Vehicle Operations Driving Program; or to take any other action relative thereto.

Estimated cost: \$ 35,000.00

Petitioner: Board of Selectmen  
Requested by David Jardin, Fire Chief  
December 8, 2010

**ARTICLE 33 (ID 66) Replace Police Cruisers**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow the sufficient sum to replace four marked cruisers; or any other action relative thereto.

Estimated cost: \$176,580.00

Petitioner: Board of Selectmen  
Requested by Chief Paul J. Shastany, Chief of Police  
January 6, 2011

**ARTICLE 34 (ID 67) Purchase Tasers for Police Department**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow the sufficient sum to purchase 45 tasers; or take any other action relative thereto.

Estimated cost: \$67,500.00

Petitioner: Board of Selectmen  
Requested by Chief Paul J. Shastany, Chief of Police  
January 6, 2011

**ARTICLE 35 (ID 55) Operating Funds for GIS Systems Implementation**

**Motion to Appropriate Funds for additional Implementation of the GIS Program:**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to pay for the implementation of additional improvements to the GIS system; or take any other action relative thereto.

Estimated cost: \$10,000

Petitioner: Board of Selectmen  
Requested by Benjamin Fehan, Town Engineer  
January 3, 2011

**ARTICLE 36 (ID 56)                      Authorize the Board of Health to Participate in the Septage Reimbursement Program**

**Motion to Appropriate Funds for the purpose of extending the Towns participation in the Massachusetts Water Pollution Abatement Trust Community Septic Management Program of the Department of Environmental Protection:**

To see if the Town will vote to appropriate a sum of money through the State Revolving Loan Program for the purpose of financing the repair, replacement and/or upgrade of septic systems; or take any other action relative thereto.

Estimated cost: \$350,000

Petitioner:     Board of Selectmen  
                     Requested by Benjamin Fehan, Town Engineer  
                     January 3, 2011

**ARTICLE 37 (ID 57)                      Authorize the Board of Health to Participate in a Mutual Aid Agreement with other communities for situations requiring Public Health Action**

**Motion to Authorize the Board of Health to enter into a Mutual Aid Agreement for Emergency Preparedness Purposes:**

To see if the Town will vote to authorize the Board of Health to enter into a Mutual Aid Agreement with the Public Health Agencies in several other municipalities when the resources normally available to a municipality are not sufficient to cope with a situation which requires Public Health Action. The health and well being of a community will be best protected through the concerted efforts of multiple public health agencies providing assistance to one another in accordance with M.G.L. Chapter 40, Section 4A; or take any other action relative thereto.

Petitioner:     Board of Selectmen  
                     Requested by Benjamin Fehan, Town Engineer  
                     January 3, 2011

**ARTICLE 38 (ID 58)                      Authorize the Conservation Commission to Purchase and Operate a Hydro-Rake and Associated Equipment**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to pay for the purchase of a Hydro-Rake and appurtenances for the purpose of maintaining the Town's water bodies; or take any other action relative thereto.

Estimated cost: \$150,000

Petitioner:     Board of Selectmen  
                     Requested by Benjamin Fehan, Town Engineer  
                     January 3, 2011

**ARTICLE 39 (ID 16)                      Fuel Management System**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to replace the existing gas boy fuel system at the Stoughton Public Works, 950 Central Street, Stoughton, MA; or take any other action relative thereto.

Estimated cost: \$35,000.00

Petitioner:        Board of Selectmen  
                      Requested by John Batchelder, Superintendent of Public Works  
                      December 9, 2010

**ARTICLE 40 (ID 17)                      Sewer Department Vehicles**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to replace and/or purchase the following equipment for the Sewer Department:

Replace 1990 4x4 service truck w/one ton dump	\$49,860.00
Replace York St. generator – 40 yrs old	sum sufficient

; or take any other action relative thereto.

Estimated cost: \$50,000.00

Petitioner:        Board of Selectmen  
                      Requested by John Batchelder, Superintendent of Public Works  
                      December 13, 2010

**ARTICLE 41 (ID 18)                      Highway Department Equipment**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to replace and/or purchase the following equipment for the Highway Department:

Replace 1990 Rubbish Packer	\$227,000.00
Replace 1987 C-500 Holder Sidewalk Tractor	\$116,715.00
Replace 1988 International Dump Truck	\$ 99,115.00
Replace 1989 4x4 cab w/rack body w/4x4 pickup	\$ 33,033.00

; or take any other action relative thereto.

Petitioner:        Board of Selectmen  
                      Requested by John Batchelder, Superintendent of Public Works  
                      December 20, 2010

**ARTICLE 42 (ID 19)            Water Department Equipment**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to replace and/or purchase the following equipment for the Water Department:

Replace 1998 Pickup	\$21,600.00
Replace 1988 4x4 pickup	\$33,033.00

; or take any other action relative thereto.

Petitioner:     Board of Selectmen  
                 Requested by John Batchelder, Superintendent of Public Works  
                 December 20, 2010

**ARTICLE 43 (ID 20)            Pratts Court Treatment Plant-Replace Heating System**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to replace the existing heating system, to include the installation of a new gas service at the Stoughton Pratt's Court Water Filtration Plant; or take any other action relative thereto.

Estimated cost: \$40,000.00

Petitioner:     Board of Selectmen  
                 Requested by John Batchelder, Superintendent of Public Works  
                 December 20, 2010

**ARTICLE 44 (ID 21)            Well & Pump Rehabilitation-Gurney and Goddard Wells**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to design and procure the repair/replacement of the existing pumps and to also rejuvenate the existing wells located at the Gurney and Goddard Wells; or take any other action relative thereto.

Estimated cost : \$90,000.00

Petitioner:     Board of Selectmen  
                 Requested by John Batchelder, Superintendent of Public Works  
                 December 20, 2010

**ARTICLE 45 (ID 22)            Sewer Stations-Roof Engineering Repairs/Replacements**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to repair/replacement of the Hawes

Way, Turnpike Street, Royal Road, Beaver Brook, York Street, and Queen Anne Way Sewer Lift Stations roofs; or take any other action relative thereto.

Estimated cost: \$100,000.00

Petitioner: Board of Selectmen  
Requested by John Batchelder, Superintendent of Public Works  
December 20, 2010

#### **ARTICLE 46 (ID 23) Pump Station Energy Audit, Engineering Study/Implementation**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to perform an Energy Audit/Engineering Study on Stoughton's accepted sewer and water pumping stations, and to further implement any recommendations of the study as funding should allow; or take any other action relative thereto.

Estimated cost: \$200,000.00

Petitioner: Board of Selectmen  
Requested by John Batchelder, Superintendent of Public Works  
December 20, 2010

#### **ARTICLE 47 (ID 24) SCADA system upgrades, Radio Study & Pilot Project**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to perform necessary upgrades to include a radio study on our Supervisory Control and Data Acquisition (SCADA) system; or take any other action relative thereto.

Estimated cost: \$100,000.00

Petitioner: Board of Selectmen  
Requested by John Batchelder, Superintendent of Public Works  
December 20, 2010

#### **ARTICLE 48 (ID 25) Pratts Court Culvert replacement**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to design, procure, permit and replace the Pratt's Court Culvert; and to authorize the Board of Selectmen, in their capacity as Street Commissioners to acquire all necessary easements or other interests in land in conjunction with this project, and to enter into any and all agreements; or take any other actions relative thereto.

Estimated cost: \$700,000.00



Petitioner: Board of Selectmen  
Requested by John Batchelder, Superintendent of Public Works  
December 20, 2010

**ARTICLE 49 (ID 26) Decommission Daly Drive Pump Station**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to design the decommissioning of the old Daly Drive Pump Station; or take any other action relative thereto.

Estimated cost: \$50,000.00

Petitioner: Board of Selectmen  
Requested by John Batchelder, Superintendent of Public Works  
December 20, 2010

**ARTICLE 50 (ID 27) Ash Street Water Tank**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to paint the Ash Street Standpipe; or take any other action relative thereto.

Estimated cost: \$850,000.00

Petitioner: Board of Selectmen  
Requested by John Batchelder, Superintendent of Public Works  
December 20, 2010

**ARTICLE 51 (ID 28) Water Tanks Renovation Project**

To see if the Town will vote to authorize the Board of Selectmen to negotiate and enter into a written agreement between the Town of Stoughton and Utility Services Co., Inc. for the repair, service, and maintenance of Town owned water tanks; or take any other action in relation thereto.

Estimated cost: \$725,000.00/per year for 10 years

Petitioner: Board of Selectmen  
Requested by John Batchelder, Superintendent of Public Works  
December 20, 2010

**ARTICLE 52 (ID 29) Water System Improvements -State Revolving Funds**

To see if the Town will vote to raise and appropriate a sum of money for the purpose of financing the planning, procuring, and construction of water system improvements in accordance with the 2006 Water System Master Plan including without limitation all costs thereof as defined

in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that to meet this appropriation the Treasurer with the approval of the Selectmen be authorized to borrow and issue bonds or notes therefore under (Chapter 44 of the General Laws and/or Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c.78; that the Treasurer with the approval of the Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C, as most recently amended by St. 1998, c.78; and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the (Board of Selectmen) are authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project; and take any other action necessary to carry out the project.

Estimated cost: \$5,000,000.00

Petitioner: Board of Selectmen  
Requested by John Batchelder, Superintendent of Public Works  
December 20, 2010

#### **ARTICLE 53 (ID 32) Sewer I/I**

To see if the Town will vote to raise and appropriate a sum of money transferred from available funds in the Treasury, if any and/or borrow a sufficient sum of money to continue improvements of the sewer system to reduce infiltration and Inflow (I&I); or to take any other action relative thereto.

Estimated cost: \$500,000.00

Petitioner: Board of Selectmen  
Requested by John Batchelder, Superintendent of Public Works  
December 20, 2010

#### **ARTICLE 54 (ID 65) Community Preservation Distribution, Budget**

To receive the Report of the **Community Preservation Committee**; to act on the recommendations for the distribution of Community Preservation Funds; to appropriate from the Community Preservation Fund a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for the Fiscal Year 2012; to reserve for future appropriation a sum of money for the acquisition, creation of open space excluding land for recreational use; a sum of money for acquisition, preservation, restoration and rehabilitation of historic resources; a sum of money for the acquisition, creation, and preservation of community housing; to appropriate from the Community Preservation Fund a sum or sums of money for Community Preservation Projects or purposes, all as recommended by

the Community Preservation Committee. Said appropriations to be in accordance with the applicable rules and statutes of the Community Preservation Act; or take any other action relative thereto.

Petitioner: Board of Selectmen  
Requested by Town Manager's Office for the Community Preservation Comm.  
January 3, 2011

# **ARTICLE 55 (ID 40) Acquisition of the Glen Echo Property using Community Preservation Funds**

To see if the Town will vote to authorize the Board of Selectmen to acquire under the authority of MGL Chapter 44B, the Community Preservation Act, by purchase, gift, eminent domain or otherwise, those portions of eight parcels of land totaling 97 acres, more or less, owned by Eugenia L. Gibson and related parties or entities or any other current owners, and known as the Glen Echo property, generally located on or near Page Street, York Street, Deady Avenue and Glen Echo Boulevard in the Town of Stoughton, with approximately 2.8 acres located in the Town of Canton (shown on the Stoughton Assessors' map as Lot 83/1), all as shown in a deed on file with the Norfolk County Registry of Deeds, found at Book 2024 page 563, and on a sketch plan entitled, "Sketch of Glen Echo Properties" on file with the Town Clerk, which properties are shown on the Stoughton Assessors' Map as the lots listed in the following table:

Conservation Parcels Stoughton				
Address	Map / Lot	Book / Page	Acreage (+/-)	owner
342 Glen Echo Blvd	70/104		20	Eugenia L.M. Gibson et al.
Glen Echo Blvd	70/128	4276/206	8.9	Eugenia L.M. Gibson
Glen Echo Blvd	70/129		0.05	Eugenia L.M. Gibson et al.
Glen Echo Blvd	71/1		6.77	Gibson Family Trust
Grove Road	82/32		0.11	Eugenia L.M. and Joanna L. Gibson
Grove Road	82/31	4276/206	0.55	Eugenia L.M. Gibson
Glen Echo Blvd	82/34		11	Eugenia L.M. Gibson et al.
York Street	83/1	3012/302	18	Eugenia L.M. Gibson
Deady Avenue	83/2	3012/303	13.4	Eugenia L.M. Gibson
Freely Drive	83/20		3.38	Eugenia L.M. Gibson
Page Street	83/3	4276/206	15	Eugenia L.M. Gibson
			<b>97.16</b>	

The majority of the land to be acquired shall be held pursuant to MGL Chapter 40, §8C under the care, custody and control of the Conservation Commission of the Town of Stoughton for conservation and passive recreational purposes (such as hiking and nature walks), while approximately six acres, located in and around the General Business Zone as indicated on the zoning maps of the Town of Stoughton (the "Excluded Portion"), shall be held pursuant to MGL Chapter 45, §3 under the care, custody and control of the Board of Selectmen for active and passive recreation purposes, including but not limited to parking, ball fields, swimming, bathrooms, food service, and other activities and services consistent with active and passive recreational uses, all as shown on the above-referenced sketch plan; and further to fund said

acquisition, including all expenses necessary and related thereto, by authorizing the Treasurer, with the approval of the Board of Selectmen, to borrow the sum of \$2,050,000, pursuant to MGL Chapter 44B, §11 or any other enabling authority, including but not limited to MGL Chapter 44, §§7 and 8, and to issue bonds and notes therefore, which borrowing is intended to be repaid from the funds set aside for such purpose in the Town of Stoughton Community Preservation Fund; and further that the Conservation Commission be authorized to file on behalf of the Town of Stoughton any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts under the Self Help Act (Chapter 132A, Section 11) and/or any other application for funds in any way connected with the scope of this acquisition, and the Board of Selectmen and/or Conservation Commission be authorized to grant one or more perpetual conservation restrictions in said parcels of land meeting the requirements of M.G.L. Chapter 44B, §12 and M.G.L. Chapter 184, §§31-33, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Stoughton to effect said purchase, said funds to be expended by the Conservation Commission and/or the Board of Selectmen; or take any other action thereon.

Petitioner: Ardis Johnston, et al. on behalf of Open Space Committee  
994 West Street, Stoughton, MA  
December 29, 2010

#### **ARTICLE 56 (ID 72) Automatic Door Operating System – Housing Authority**

To see if the Town will vote to approve, subject to the recommendation of the Community Preservation Committee, the use of available allotted Community Preservation Funds for the purpose of purchasing and installation of an Automatic Door Operating System at the Rose Forte Elderly and Non-elderly Disabled Housing Development located at 4 Capen Street; or take any other action relative thereto.

Estimated cost: \$10,000.00

Petitioner: Board of Selectmen  
Requested by Gregory J. Bartlett, Executive Director  
Stoughton Housing Authority  
January 27, 2011

#### **ARTICLE 57 (ID 73) Post-Disaster Emergency Shelter – Housing Authority**

To see if the Town will vote to approve, subject to the recommendation of the Community Preservation Committee, the use of available allotted Community Preservation Funds for the purpose of adding to the existing Housing Authority building located at 4 Capen Street a post-disaster emergency shelter. This is to be a three-bedroom furnished residential structure which will provide temporary housing for families displaced by national disasters or unforeseen hardships, such as fires and storms; or take any other action relative thereto.

Estimated cost: \$30,000 (\$15,000 needs from Community Preservation Act Funds)

Petitioner: Board of Selectmen  
Requested by Gregory J. Bartlett, Executive Director

**ARTICLE 58 (ID 95)      Lucius Clapp Memorial Building Repair**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money and/or use available allotted community Preservation Funds to repair/replace/reset the rear stairs of the Lucius Clapp Building including removal of railings, replacement of brick and resetting of granite on wall and painting wall; or take any other action relative thereto.

Estimated cost: \$9,000

Petitioner:      Board of Selectmen  
                    Requested by Stoughton Historical Society  
                    February 1, 2011

**ARTICLE 59 (ID 86)      Town Hall Roof**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money and/or use available allotted community Preservation Funds for design and construction costs to install a new roof on Town Hall; or to take any other action relative thereto.

Petitioner:      Board of Selectmen  
                    February 1, 2011

**ARTICLE 60 (ID 87)      Town Hall Exterior**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money and/or use available allotted community Preservation Funds for design and construction costs to repair and paint the exterior of Town Hall; or to take any other action relative thereto.

Petitioner:      Board of Selectmen  
                    February 1, 2011

**ARTICLE 61 (ID 33)      Turnpike Street Station**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to modernize and repair the Turnpike Street Pump Station; or take any other action relative thereto.

Estimated cost: \$100,000.00

Petitioner:      Board of Selectmen  
                    Requested by John Batchelder, Superintendent of Public Works  
                    December 20, 2010

## **ARTICLE 62 (ID 30) Accept Preliminary Designs for Public Library Expansion**

To see if the Town will vote to accept the preliminary design for the renovation and expansion of the Stoughton Public Library building located at 84 Park Street, Stoughton, MA, as recommended by the Stoughton Public Library Planning and Building Committee, or take any other action relative thereto.

Petitioner: Board of Trustees of the Stoughton Public Library, et al.  
December 29, 2010

## **ARTICLE 63 (ID 31) Funding of Renovations and Expansion of Public Library**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to pay for the preparation of detailed plans, specifications, bid documents, acquiring any easements, if necessary, and the construction of a renovation and expansion of the Stoughton Public Library building at 84 Park Street, to include remodeling, reconstructing or repairs, equipping and furnishing to said building; including a provision for temporary operating quarters; and further to authorize the Stoughton Public Library Planning and Building Committee, appointed pursuant to the vote of the 2005 Annual Town Meeting under Article 34 ( ID 36), to oversee said project; and further to; or take any other action relative thereto.

Petitioner: Board of Trustees of the Stoughton Public Library, et al.  
December 29, 2010

## **ARTICLE 64 (ID 34) Replace Roof at Jones Elementary School**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to replace the roof at the Edwin A. Jones Elementary School; or take any other action relative thereto.

Estimated cost: \$600,000.00

Petitioner: Thomas H. Colburn, et al., 53 Gilbert Drive, Stoughton  
December 28, 2010

## **ARTICLE 65 (ID 35) Facilities Master Plan Committee Priority Capital Projects**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to Fund, as recommended by the Facilities Master Plan Committee, Priority Capital Projects; or take any other action relative thereto.

Estimated cost: \$200,000.00

Petitioner: Thomas H. Colburn, et al., 53 Gilbert Drive, Stoughton  
December 28, 2010

**ARTICLE 66 (ID 36) Refurbish Tennis Courts & adjoining Basketball Court at SHS**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to refurbish the tennis courts and adjoining basketball court at Stoughton High School; or take any other action relative thereto.

Estimated cost: \$250,000.00

Petitioner: Thomas H. Colburn, et al., 53 Gilbert Drive, Stoughton  
December 28, 2010

**ARTICLE 67 (ID 37) Restore Surface of Track at SHS**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to restore the surface of the track at Stoughton High School; or take any other action relative thereto.

Estimated cost: \$100,000.00

Petitioner: Thomas H. Colburn, et al., 53 Gilbert Drive, Stoughton  
December 28, 2010

**ARTICLE 68 (ID 38) Design, Connect and Extend a New Electrical Service for Jones Elementary School**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to design, connect and extend a new electrical service for the E.A. Jones Elementary School; or take any other action relative thereto.

Estimated cost: \$200,000.00

Petitioner: Thomas H. Colburn, et al., 53 Gilbert Drive, Stoughton  
December 28, 2010

**ARTICLE 69 (ID 39) Re-sod the Anthony Sarno, Jr. Football Field at SHS**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to re-sod the Anthony L. Sarno, Jr. Football Field at Stoughton High School; or take any other action relative thereto.

Estimated cost: \$50,000.00

Petitioner: Thomas H. Colburn, et al., 53 Gilbert Drive, Stoughton  
December 28, 2010

**ARTICLE 70 (ID 68) Cedar Hill Equipment**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Cedar Hill G.C. Enterprise Account, if any, and/or borrow a sufficient sum of money to replace and/or purchase the following equipment for Cedar Hill G.C.:

<u>Equipment</u>	<u>Estimated Cost</u>
Replace 1 1996 Greens Mowers	\$6985.00
Replace 1 1998 Greens Mowers	\$6985.00
Replace 2000 Tri-king Mower	\$28512.00
Replace 1996 Tri-plex Mower	\$23407.00

; or take any other action relative thereto.

Petitioner: Board of Selectman  
Requested by Cedar Hill Operations Committee  
January 6, 2011

**ARTICLE 71 (ID 69) Cedar Hill HVAC System**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Cedar Hill G.C. Enterprise Account, if any, and/or borrow a sufficient sum of money to replace HVAC System for Cedar Hill G.C.:

;or take any other action relative thereto.

Estimated cost: \$22,000.00

Petitioner: Board of Selectman  
Requested by Cedar Hill Operations Committee  
January 6, 2011

**ARTICLE 72 (ID 94) Lucius Clapp Memorial Building Contract/Lease**

To see if the Town will authorize the Board of Selectmen to enter into a 10-year contract to lease premises numbered 6 Park Street, Stoughton, Massachusetts known as the Lucius Clapp Memorial Building; or take any other action relative thereto.

Petitioner: Board of Selectmen  
Requested by Stoughton Historical Society  
February 1, 2011



**ARTICLE 73 (ID 91) MBTA Agreement to Lease Railroad Station**

To see if the Town will enter into an agreement with the Massachusetts Bay Transit Authority (MBTA) to lease the Railroad Station for a period of five years with an option to extend an additional five years; or take any other action relative thereto.

Petitioner: Board of Selectmen  
February 1, 2011

**ARTICLE 74 (ID 71) Cell Phone Company Leases/Contracts**

To see if the Town will authorize the Board of Selectmen to enter into multi-year contracts to lease space to cell phone companies for the installation of equipment on Town property, including water tanks; or take any other action relative thereto.

Petitioner: Board of Selectmen  
January 11, 2011

**ARTICLE 75 (ID 42) Accept Ledgebrook Avenue, Carson Drive, Freely Drive and Sander Lane as Public Ways**

To see if the Town will vote to accept as public ways Ledgebrook Avenue, Carson Drive, Freely Drive and Sander Lane, as public property the sewage pump station located on Carson Drive, and all utility easements and rights related to the residential subdivisions known as Ledgebrook Estates I and Ledgebrook Estates II and, further, to raise, appropriate, and/or transfer or borrow from available funds to make all necessary repairs and improvements; or take any other action relative thereto.

Petitioner: Francis Driscoll, et al., 48 Freely Drive, Stoughton, MA  
January 3, 2011

**ARTICLE 76 (ID 43) Accept Ledgebrook Avenue as Public Way**

To see if the Town will vote to accept as public way Ledgebrook Avenue and all utility easements and rights related to the residential subdivision known as Ledgebrook Estates I and, further, to raise, appropriate, and/or transfer or borrow from available funds to make all necessary repairs and improvements; or take any other action relative thereto.

Petitioner: Francis Driscoll, et al., 48 Freely Drive, Stoughton, MA  
January 3, 2011

**ARTICLE 77 (ID 44) Accept Carson Drive, Freely Drive, and Sander Lane as Public Ways**

To see if the Town will vote to accept as public ways Carson Drive, Freely Drive, and Sander Lane, the portion, if any, of Ledgebrook Avenue that is included in the Ledgebrook Estates II residential subdivision, and all utility easements and rights related to the residential subdivision

known as Ledgebrook Estates II and, further, to raise, appropriate, and/or transfer or borrow from available funds to make all necessary repairs and improvements; or take any other action relative thereto.

Petitioner: Francis Driscoll, et al., 48 Freely Drive, Stoughton, MA  
January 3, 2011

**ARTICLE 78 (ID 45) Accept as Public the Sewage Pumping Station on Carson Drive**

To see if the Town will vote to accept as public the sewage pumping station located on Carson Drive in the residential subdivision known as Ledgebrook Estates II along with any related easements and rights related to the pump station and, further, to raise, appropriate, and/or transfer or borrow from available funds to make all necessary repairs and improvements; or take any other action relative thereto.

Petitioner: Francis Driscoll, et al., 48 Freely Drive, Stoughton, MA  
January 3, 2011

**ARTICLE 79 (ID 46) Re-appropriate Funds for Cabot Place Sewer**

**Motion to Authorize the Re-Appropriation of Funds for the Survey, Design & Construction of Sewerage Facilities serving the Cabot Place area:**

To see if the Town will reauthorize/re-appropriate funds previously voted under Article 53 of the 2008 Annual Town Meeting. Said vote is to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to pay for the survey, easement drawings, design and construction of sewage facilities suitable for public bidding, or take any other action relative thereto. Said funds may be used on public or private property to construct sewerage facilities, as necessary, to allow for the connection of the Cabot Place area structures into the municipal sewerage system. Town is to recover 100% of the cost through betterment assessments; or take any other action relative thereto.

Estimated cost: \$400,000

Petitioner: Board of Selectmen  
Requested by Benjamin Fehan, Town Engineer  
January 3, 2011

**ARTICLE 80 (ID 47) Accept West Street Sewage Pump Station**

**Motion to authorize the Board of Selectmen, acting as the Board of Sewer Commissioners, to acquire the West Street Sewer Pump Station:**

To see if the Town will vote to authorize the Board of Selectmen, acting as the Board of Sewer Commissioners, to acquire, by acceptance and/or taking, the rights and title to the West Street

Sewage Pump Station including the equipment and appurtenances together with the lot upon which it is located. The pump station easement is described as follows:

Beginning at a point along the easterly side of West Street; said point being 56.36 feet northerly along said street line from the northwesterly corner of Lot 11 on Assessor's Map 36. Thence proceeding more northerly along said street line at a bearing of N 4 -52'-48"W for a distance of 77.31 feet; thence turning and heading S 89 -58'-14"E a distance of 33.63 feet to a point; thence turning and running S 0 -01'-46" W a distance of 76.65 feet to a point; thence turning and running N 89 -58'-15" W a distance of 27.06 feet to the point of beginning. Said easement, having an area of approximately 2,335 s.f., is a part of Lot 10 of Assessors Drawing 36 and is shown on a subdivision plan recorded at the Norfolk Registry of Deeds in Plan Book 550 as Plan #53 of 2006.

; or take any other action relative thereto.

Estimated cost: \$500

Petitioner: Board of Selectmen  
Requested by Benjamin Fehan, Town Engineer  
January 3, 2011

#### **ARTICLE 81 (ID 48) Accept Pond View Sewage Pump Station**

##### **Motion to authorize the Board of Selectmen, acting as the Board of Sewer Commissioners, to acquire the Pond View Sewage Pump Station and Appurtenances:**

To see if the Town will vote to authorize the Board of Selectmen, acting as the Board of Sewer Commissioners, to acquire, by acceptance and/or taking, the rights and title to the Pond View Sewage Pump Station, force main and appurtenances as described on the attached document:

; or take any other action relative thereto.

Estimated cost: \$500

Petitioner: Board of Selectmen  
Requested by Benjamin Fehan, Town Engineer  
January 3, 2011

#### **ARTICLE 82 (ID 49) Accept Easement for Pond View Sewage Pump Station**

##### **Motion to authorize the Board of Selectmen, acting as the Board of Sewer Commissioners, to accept the Easement for the Pond View Sewage Pump Station and Appurtenances:**

To see if the Town will vote to authorize the Board of Selectmen, acting as the Board of Sewer Commissioners, to acquire, by acceptance and/or taking, the rights and title to the Easement for the Pond View Sewage Pump Station, force main and appurtenances as described on the attached document:

; or take any other action relative thereto.

Estimated cost: \$500

Petitioner: Board of Selectmen  
Requested by Benjamin Fehan, Town Engineer  
January 3, 2011

**ARTICLE 83 (ID 50) Accept Young Way and Swallow Lane as a Public Way**

**Motion to Accept Young Way and Swallow Lane as a Public Way:**

To see if the Town will vote to accept the ways known as Young Way (approx. 520 ft.) and Swallow Lane (approx. 230 ft.), in their entirety, as public ways and raise and appropriate, transfer from available funds in the Treasury, if any, and borrow a sufficient sum of money to pay for recording the same; or take any other action relative thereto.

Estimated cost: \$500

Petitioner: Board of Selectmen  
Requested by Benjamin Fehan, Town Engineer  
January 3, 2011

**ARTICLE 84 (ID 51) To Comply with State Stormwater Requirements**

**Motion to Appropriate Funds for Compliance with State Stormwater NPDES Requirements:**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to pay for all activities associated with and required by the State regarding the Stormwater NPDES Regulations, or take any other action relative thereto.

Estimated cost: \$80,000

Petitioner: Board of Selectmen  
Requested by Benjamin Fehan, Town Engineer  
January 3, 2011

**ARTICLE 85 (ID 52) Survey of Joanne Road and Mahoney Avenue Area**

**Motion to Appropriate Funds for the Survey of Street Lines in the vicinity of Joanne Road, Mahoney Avenue and Powell Street:**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to pay for an as-built survey of the Joanne Road, Mahoney Avenue and Powell Street area; or take any other action relative thereto.

Estimated cost: \$5,000

Petitioner: Board of Selectmen  
Requested by Benjamin Fehan, Town Engineer  
January 3, 2011

#### **ARTICLE 86 (ID 53) Construct Drainage Improvements at the Municipal Golf Course**

##### **Motion to Appropriate Funds for the Construction of Drainage Improvements at the Municipal Golf Course:**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to pay the construction of general drainage improvements, in and adjacent to the Municipal Golf Course, including easement acquisitions; or take any other action relative thereto.

Estimated cost: \$20,000

Petitioner: Board of Selectmen  
Requested by Benjamin Fehan, Town Engineer  
January 3, 2011

#### **ARTICLE 87 (ID 54) Appropriate Funds for a Town-wide Survey for GIS Purposes**

##### **Motion to Appropriate Funds for the Implementation of a Town-Wide Topographical Survey:**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, if any, and/or borrow a sufficient sum of money to pay for the implementation of a town-wide topographical survey, or take any other action relative thereto. Said survey is to provide the basis for the GIS mapping system and will replace the 1999 aerial mapping; or take any other action relative thereto.

Estimated cost: \$200,000

Petitioner: Board of Selectmen  
Requested by Benjamin Fehan, Town Engineer  
January 3, 2011

#### **ARTICLE 88 (ID 84) Receive Report of Town Code Publication Review Comm**

To receive the report of the Town Code Publication Review Committee established by vote of the 2010 Annual Town Meeting, Article 23 (ID 38), and vote to accept those sections of the

Town Code Book which the Committee reports as having been in correspondence with the adopted coding system established by General Code Publishers in 2005 and the text as recorded and approved by the Attorney General's Office as being properly voted by the Town of Stoughton; or take any other action relative thereto.

Petitioner: Board of Selectmen  
Requested by Town Code Publication Committee  
Howard Hansen, Chairman  
January 28, 2011

#### **ARTICLE 89 (ID 59) Adopt the Stretch Energy Code**

To see if the Town will vote to adopt the "Stretch Energy Code" set forth in the State Building Code at 780 CMR 120.AA (i.e., Appendix 120.AA), as it may be amended from time to time, and to amend the Town of Stoughton General By-laws by inserting a new Chapter \_\_\_\_, entitled "Stretch Energy Code" as set forth below:

\_\_\_\_ Stretch Energy Code

\_\_\_\_-1. Adoption. The Town of Stoughton has adopted the provisions of 780 CMR 120.AA (i.e., Appendix 120.AA of the State Building Code or the "Stretch Energy Code"), as may be amended from time to time, in place of the provisions set forth under 780 CMR 13.00, 34.00, 61.00 and 93.00.

\_\_\_\_-2. Purpose. The purpose of the Stretch Energy Code shall be to provide the Town with a more energy efficient alternative to the base energy code otherwise set forth under the State Building Code.

; or take any other action relative thereto.

Petitioner: David Billo, et al., 19 Hahn Road, Stoughton, MA  
January 3, 2011

#### **ARTICLE 90 (ID 70) Pawnbrokers**

To see if the Town will vote to add the following Chapter to the Code of the Town of Stoughton:

Chapter 134

#### **PAWNBROKERS**

##### **§ 134-1. License required; application for license; term of license, fee.**

The Stoughton Board of Selectmen may license suitable persons to be pawnbrokers pursuant to law. Such licenses shall not be valid to protect the holders thereof in a building or place other

than that designated in the license, unless the Stoughton Board of Selectmen grants consent to said removal.

Applications for new licenses under these rules and regulations may be filed at any time with the Board of Selectmen. Applications for the re-issue of licenses already existing should be filed at least thirty (30) days before the expiration of such licenses. All licenses issued under these rules and regulations shall expire annually on the last day of December. Persons whose licenses have expired and have not been re-issued will be liable to prosecution if carrying on the business for which the license is required.

Every person so licensed shall, at the time of receiving such license, file with the Stoughton Board of Selectmen a bond to the Town of Stoughton, in the sum of three hundred dollars (\$300.00) as provided in Massachusetts General Laws, Chapter 140, section 77, with two sureties approved by the Stoughton Board of Selectmen, and conditioned for the faithful performance of the duties and obligations pertaining to the business so licensed.

Persons who engage in or carry on the business of lending money on mortgages, deposits or pledges of wearing apparel, jewelry, ornaments, household goods or other personal property, of purchasing such property on condition of selling the same back again at a stipulated price when the property so mortgaged, pledged, or purchased is deposited with the lender, must be licensed as pawnbrokers. This provision, however, does not apply to loans made on stock, bonds, notes, or other written or printed evidence of ownership of property or of indebtedness to the holder or owner of such securities (MGL c. 140, §§ 70-85).

#### **§ 134-2. Interest rate restrictions.**

Licensed pawnbrokers may charge the following rates of interest:

- A. For all loans, three percent (3 %) a month (and each fraction thereof at the same rate).

No such pawnbrokers shall charge or receive any greater rate of interest and interest shall be determined on the precise sum advanced by the lender.

No pawnbroker shall make or receive any extra charge or fee for storage, care of safekeeping of any goods, articles or things pawned.

#### **§ 134-3. Furnishing information to duly authorized town officials.**

Any officer of the Stoughton Police Department, agent of the Board of Selectmen, or other duly authorized law enforcement officer may, at any time, enter upon any premises used by a licensed pawnbroker for the purpose(s) of his business, ascertain how he conducts his business and examine all articles taken in pawn or kept or stored in or upon said premises and all books and inventories shall be exhibited to any of the above named whenever a demand shall be made for exhibition ( MGL c. 140, § 73) (Penalty for refusal, (MGL c. 140, § 74).

**§ 134-4.        Numbering of pawned articles.**

Every licensed pawnbroker shall, at the time of making any loan, attach a number to the article taken in pawn, and shall make entry of such number in the book provided for by Section 6 of these rules and regulations.

**§ 134-5.        Maintenance of records; contents; photo identification.**

Every licensed pawnbroker shall keep a book of a style and size in which shall be legibly written in ink in the English language, at the time of making each loan, an account and description, including all distinguishing marks and numbers, of the goods, articles or things pledged or pawned, the amount of money loaned thereon, the day and hour when it was pawned, the rate of interest to be paid on such loan, the number of such article as provided for by Section 5 of these rules and regulations, and the name, age, and residence of the person pawning the same. No entry made in this book shall be erased, obliterated, or defaced.

Every pawnbroker shall photograph any person pawning or pledging articles and keep such photographs with said books as part of his records (MGL c. 140, § 79).

For all loans, every pawnbroker shall also require positive identification and record the type of identification presented and record the date of birth from any person pawning or pledging any article. Positive identification shall mean any picture identification card issued by a governmental agency.

**§ 134-6.        Pledge cards; retention.**

Each person making a pledge of any item described herein shall be required by the pawnbroker to sign his name, age, and address on a card. In the event that said individual is unable to write, the pawnbroker shall fill in the name, age, and address on such card, together with a notation stating that said pledging individual was unable to do so. The licensed pawnbrokers shall retain such card for seven (7) years in an alphabetical index file.

**§ 134-7.        Copy of required record to pledge.**

Every pawnbroker shall, at the time of making such loan, deliver to the person who pawns any goods, article or thing, a memorandum or note signed by him, containing the substance of the entry required to be made in his book by the provisions of Section 6; and no charge shall be made or required by any pawnbroker for any such entry, memorandum or note (MGL c. 140, § 80).

**§ 134-8.        Bi-weekly report to police.**

Every licensed pawnbroker shall make out and deliver to the Chief of Police, electronically, if possible, twice a week, a legible and correct list containing an accurate description, including all distinguishable marks and numbers of all articles taken in pawn during the preceding report, the respective numbers of such articles as provided in Section 5, the amount loaned thereon, and the



time such articles were pawned. If during the preceding report no articles have been taken in pawn by such pawnbroker he shall deliver a report of such fact to the Chief of Police as described above.

If any goods or articles pawned or pledged and in the possession of a pawnbroker are subsequently determined to be stolen property by a member of any law enforcement agency, or if the rightful owner identifies property in the possession of a pawnbroker and the property so identified is confirmed to be stolen pawned goods by any law enforcement agency, or upon direction of the Stoughton Board of Selectmen, said property shall be returned to the rightful owner at no cost to such owner.

**§ 134-9. Posting requirements.**

Every licensed pawnbroker shall post in a conspicuous place in his shop or office a copy of the statutes, ordinances, and police regulations relating to pawnbrokers, to be furnished by the Stoughton Board of Selectmen, and shall put in some suitable and conspicuous place on his shop a sign having his name and occupation legibly inscribed thereon in large letters.

No pawnbroker shall place or maintain any signs or devices upon or in connection with his licensed premises indicating or tending to indicate that any form of business is conducted therein which he is not legally authorized to pursue.

**§ 134-10. Hours of operation.**

No pawnbroker shall have his shop open for the transaction of business, except between 8:30 a.m. and 9:00 p.m. of any day except Saturday, on which day such shop may be kept open from 8:30 a.m. until 10:00 p.m.

**§ 134-11. Disposition of pledged articles.**

Articles deposited in pawn with a licensed pawnbroker shall, unless redeemed, be retained by him on the premises occupied by him for business for at least four (4) months after the date of deposit.

After the expiration of the applicable period of time, he may sell the article by public auction, apply the proceeds thereof in satisfaction of the debt or demand and the expense of the notice and sale, and pay any surplus to the person entitled thereto on demand.

No such sale of any article which is not of a perishable nature shall be made unless not less than ten (10) days prior to the sale a written notice of the intended sale shall have been sent by registered mail to the person entitled to payment of any surplus as aforesaid, addressed to his residence, as appearing in the records of such pawnbrokers. Proof of registered mail shall be kept on file for one (1) year after the date of the sale.

No article taken in pawn by such pawnbroker shall be disposed of otherwise than as provided above, any agreement or contract between the parties thereto to the contrary notwithstanding.

Articles of personal apparel shall not be deemed to be of a perishable nature within the meaning of this section.

**§ 134-12. Prohibitions.**

No pawnbroker shall make a loan, directly or indirectly, to a minor, knowing or having reason to believe him to be such.

No pawnbroker shall loan money secured by deposit or pledge of firearm, rifle, shotgun, or machine gun. (MGL c. 140, § 131B)

No pawnbroker shall hold a license to sell, rent, or lease a firearm, rifles, shotguns, or machine guns.

**§ 134-13. Complaints; disciplinary action; hearing.**

The Stoughton Board of Selectmen and/or the Stoughton Police Department shall investigate complaints concerning licensed pawnbrokers. An investigation shall be made in all such instances.

In the event the Stoughton Board of Selectmen determines that disciplinary action should be instituted against a licensed pawnbroker, the Stoughton Board of Selectmen shall cause to be served upon the licensed pawnbroker notice as to time, date, and place of hearing of the charge(s) with a statement of the reasons for the proposed disciplinary action. Hearings shall be conducted in accordance with Stoughton Board of Selectmen procedures.

**§ 134-14. Revocation of license; violations and penalties.**

The Stoughton Board of Selectmen may suspend or revoke licenses provided for by this regulation for any cause that the Stoughton Board of Selectmen deems sufficient. Offenses, which may result in suspension or revocation of a pawnbroker's license include, but are not limited to, the following:

- A. A violation of any section of this regulation.
- B. Violation of any statute or ordinance of the Town of Stoughton or the Commonwealth of Massachusetts.

In order that the Stoughton Board of Selectmen may ensure a consistent and effective mechanism for the enforcement of these regulations, violations of any provision of these regulations shall result in the following disciplinary action:

1 <sup>st</sup> Offense	Written reprimand
2 <sup>nd</sup> Offense	2 <sup>nd</sup> Written reprimand and \$50 fine
3 <sup>rd</sup> Offense	License Suspension (1 day)
4 <sup>th</sup> Offense	License Suspension (3 days)

No holder of a pawnbroker license, following the revocation of a license for any violation of these provisions or for any other lawful reason, may apply for a new license until the expiration of one year from the date of revocation.

In addition to the above, the Stoughton Board of Selectmen may suspend or revoke a pawnbroker's license without hearing if the public health and safety so require. In such circumstances, the Stoughton Board of Selectmen must forthwith give notice of the suspension or revocation and serve the pawnbroker by certified mail or in hand with notice of an opportunity for a hearing.

These regulations shall become effective upon adoption by the Stoughton Board of Selectmen. Any pawnbroker regulation(s) in effect prior to the date of adoption of these regulations are hereby rescinded.

The Stoughton Board of Selectmen adopts these regulations in accordance with the provisions of Massachusetts General Laws, Chapter 140, § 78.

Adopted by the Stoughton Board of Selectmen on December 7, 2010.

; or take any other action relative thereto.

Petitioner: Board of Selectmen  
Requested by Cheryl A. Mooney, Town Clerk  
January 10, 2011

## **ARTICLE 91 (ID 96) Maintenance and Repair of Private Ways**

To see if the Town will vote to add the following to Chapter 162 to the Code of the Town of Stoughton:

### **ARTICLE V Temporary Repairs to Private Ways**

#### **§162-19. Statutory authority.**

Pursuant to the provisions of G.L. c.40, §6N, the Stoughton Department of Public Works is authorized hereunder to make necessary temporary repairs to private ways, in accordance with the procedures set forth in this by-law. This by-law shall not be deemed to mandate the Town to make repairs to any private way.

#### **§162-20. Definitions.**

For the purpose of this article, the following terms shall have the meanings indicated:

MINOR TEMPORARY REPAIRS – The filling of potholes, depressions or ruts with bituminous concrete or other suitable material; crack sealing; minor maintenance or repairs to a drainage system, including the cleaning of catch basins; and grading.

MAJOR TEMPORARY REPAIRS – The surfacing or resurfacing of a way with bituminous concrete or other suitable material and/or the installation of a drainage system relative to such a way.

PRIVATE WAY – A way existing in the town for at least five years, which has not been legally laid out by the Board of Selectmen as a public way or which has not been accepted as a public way by Town Meeting, and which has been open to public use for the purposes of travel by permission or license of the owners thereof.

§162-21. **Determination of necessity.**

Prior to making any such repairs, it shall be determined by the Stoughton Department of Public Works that they are necessary or advisable for public safety and convenience.

§162-22. **Minor temporary repairs.**

The Superintendent of Public Works, with the approval of the Town Manager, may make minor temporary repairs to any private way when such repairs are deemed necessary or advisable for public safety and convenience.

§162-23. **Major temporary repairs; petition by owners; cash deposit.**

The Superintendent of Public Works, with the approval of the Town Manager, may make major temporary repairs to any private way upon a petition signed by the actual owner (or owners) of such ways and/or at least 51% of the abutting landowners, describing the necessity for and the extent of such temporary repairs. The Town Manager shall approve such petitioned request prior to any such repairs being made by the Stoughton Department of Public Works. The Superintendent shall prepare an estimate of the cost of performing such repairs. A cash deposit in such amount shall be delivered to the Town Treasurer to be applied against the actual cost of making such repairs prior to the work being commenced, with such cash deposit to be made up of payments from the petitioning owners and/or abutters.

§162-24. **Liability.**

The Town of Stoughton shall not be liable in excess of the sum of \$500 on account of property damage or personal injuries caused by such temporary repairs, with the amount of such damages, if any, to be determined by the Board of Selectmen, and any payments made hereunder to be approved by the Board.

; or take any other action relative thereto.

Petitioner: Board of Selectmen  
February 1, 2011

## **ARTICLE 92 (ID 60)                      Amend Zoning Bylaw and Map – Highway Access**

To see if the Town will vote to amend the Town of Stoughton Zoning By-Law and Map by changing R-15 to Highway Access Business District area as follows:

In “North Stoughton” beginning at the centerline intersection of Page Street and Turnpike Street (Rt. 139); thence running southerly by the centerline of Turnpike Street being the existing Neighborhood Business District Boundary line 900’ more or less; thence continuing southerly by the centerline of Turnpike Street (Rt 139) 960’ more or less to the existing Industrial District; thence running at right angles easterly 250’ more or less being the existing Industrial Business District boundary line; thence running at right angles northerly 960’ more or less at the existing Industrial District boundary line; thence continuing northerly at a 135 degree angle being the existing Industrial District boundary line to the centerline of Page Street; thence running northwesterly by the centerline of Page Street being the existing Industrial District boundary line 980’ more or less to the Neighborhood business District at the centerline intersection of Page Street and Turnpike Street (Rt 139) being the point of beginning; or take any other action relative thereto.

Petitioner:        Jacqueline Weeks, et al., 15 17 Turnpike Street, Stoughton, MA  
January 3, 2011

## **ARTICLE 93 (ID 11) Tattoo Parlors – Zoning Change – Chapter 200**

To see if the Town will vote to amend \*Chapter 200, ZONING, §200-98 Table of Use Regulations, Principal Uses – RETAIL AND TRADE, Item No. 30 Tattoo parlors, by allowing Tattoo parlors to be located in a CBD (Central Business District) by Special permit so that the table will read as follows:

	R E S I D E N T I A L					B U S I N E S S				INDUSTRIAL
Principal Uses	RM	RU	RC	RB	RA	CBD	GB	NB	HB	1

### **RETAIL AND TRADE (cont’d)**

30. Tattoo parlors	—	—	—	—	—	S	—	—	S	—
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\*General Code 2005 proposed re-codification

; or take any other action relative thereto.

Petitioner:        Elizabeth Morales, et al., 137 Pine Street, South Easton  
September 16, 2010

## **ARTICLE 94 (ID 63)                      Zoning By-law Definition Amendment – Shopping Center or Planned Business Development**

To see if the Town will vote to amend the Town of Stoughton Zoning Bylaw of 1970, as amended through September 30, 2009, by amending the definition of “Shopping Center or Planned Business Development,” as it presently appears in Section II, “Definitions,” (and as it appears in Section 200-3, “Terms defined,” of the current Town Code), and replacing it with the

following definition of “Shopping Center or Planned Business Development.” (Revisions to the current definition are underlined in the text of the article below):

## **SHOPPING CENTER or PLANNED BUSINESS DEVELOPMENT**

One or more retail stores or commercial buildings with a unified plan and/or architectural scheme (as determined by the Zoning Board of Appeals in the special permit), on a single parcel of land or on single parcels contiguously arranged, and shall include, but shall not be limited to, the following:

1. (a) A department store, general merchandise store, or a food market having a total gross floor area of at least 20,000 square feet of gross floor area; and  
  
(b) One or more retail stores and/or restaurants or fast order food establishments that fit within the overall design of the Shopping Center or Planned Business Development having a total gross floor area of at least 20,000 square feet of gross floor area; or
2. A single store containing a minimum of 50,000 square feet of gross floor area in the aggregate, of which a minimum of 20,000 square feet of gross floor area is devoted to retail sales of one or more of the following: dry goods, apparel and accessories, furniture and home furnishings, home equipment, hardware, or the like. Such store may also contain other uses permitted in the district by right or by special permit and such other, accessory uses as the Zoning Board of Appeals permits in the special permit for the Shopping Center or Planned Business Development.

Parking for the Planned Business Development shall be permitted as determined by the Zoning Board of Appeals in the special permit, provided the minimum requirements of Section XI, F (Town Code § 200-70) are satisfied. Drive-in establishments may be permitted by special permit in a Shopping Center or Planned Business Development provided the drive-through feature of such establishment will not adversely impact the safety of pedestrians and vehicles within and adjacent to the development; or take any other action relative thereto.

Petitioner: Roger Sherman, et al., Trustee, Route 139 Realty Trust  
285 Commandants Way, Chelsea, MA  
Represented by Attorney Barry R. Crimmins  
January 3, 2011

## **ARTICLE 95 (ID 64)      Amendment to Zoning By-law Section XI, Special Permit Conditions F. “Planned Business Development”**

To see if the Town will vote to amend the Town of Stoughton Zoning Bylaw of 1970, as amended through September 30, 2009, by amending the Special Permit Conditions of Section XI, F., “Planned Business Development,” as it presently appears in the current Zoning Bylaw, (and as it appears in Section 200-70 of the Town Code), by adding the following new provision to the end of Paragraph 9 of said Section XI, F., (Paragraph I of Section 200-70 of the Town

Code) and by adding the following new Paragraphs 10, 11, and 12 to Section XI., F (Paragraphs J, K, and L of Section 200-70 of the Town Code).

(Revisions to the current version of the Zoning Bylaw are underlined in the text of the article below):

**F. Planned Business Development.** For planned business development of land subject to maximum building coverage more than the maximum permitted in the Table of Density and Dimensional Regulations and less than the parking requirements contained in the Table of Off-Street Parking Regulations, provided:

1. The tract shall be in single or consolidated ownership at the time of application and shall be at least five acres in size.
2. A site plan shall be presented for the entire tract showing two-foot finished contours, existing and proposed drainage, sewerage, water, parking, street access and landscaping.
3. Uses shall be contained in one continuous building except that groupings of buildings may be allowed by special permit of the Board where such groupings are consistent with the safety of the users of the development and are further consistent with the overall intent of this section; the development shall be served by one common parking area, exit, and entrance.
4. The ratio of the gross floor area of the building(s) to the total lot area shall not exceed 0.50.
5. The development shall be served by one common parking area and by common exit and entrance areas.
6. Reduction in parking space requirements shall not exceed more than 10% of those required under normal application of requirements for the particular uses proposed.
7. The development would be served by a public water system.
8. Any use that requires a special permit under the Table of Uses shall require a separate application. Separate applications for special use permits, if part of the same development proposal, shall be held concurrently; (Added by action of Special Town Meeting September 30, 2009, Article #16);
9. Property benefiting from a special permit for a planned business development or shopping center shall receive necessary approvals under the Site Plan Review By-Law prior to issuance of any construction permits pursuant to the special permit. (Added by action of Special Town Meeting September 30, 2009, Article #16);  
To the extent practical, Site Plan Review by the Planning Board shall take place concurrently with the review by the Board in connection with a special permit application for a Planned Business Development or Shopping Center.
10. Drive-In Establishments may be permitted by special permit in a Planned Business

Development or Shopping Center only if the Board determines that the drive-through component will not adversely impact the safety of pedestrians or vehicles within and adjacent to the development.

11. Fast Order Food Establishments may be permitted by special permit in a Planned Business Development or Shopping Center only if the Board determines that such establishment will not adversely impact the surrounding neighborhood. Such impacts must be specific, material, and not based on speculation. Factors that may be considered by the Board in making such determination of adverse impact include, but are not limited to, the following:

1) the size of the Fast Order Food Establishment and the amount of indoor (and/or outdoor) seating. The Board may require that a Fast Order Food Establishment have a minimum of 10 indoor seats for each 1,000 square feet of space;

2) the Fast Order Food Establishment's fit with the overall layout, design, and tenant mix of the Planned Business Development or Shopping Center;

3) the commitment of the tenant chain or franchise to utilization of recycled materials or materials that will minimize litter;

4) the design of the ventilation system and its efficiency in reducing odors from cooked foods. The Board may reasonably condition the grant of a special permit for a Fast Order Food Establishment in order to reduce or avoid neighborhood impacts and may, among other conditions, require a litter reduction program or a commitment to remove litter along adjacent roadways with such reasonable frequency as may be agreed between the Applicant and the Board (e.g., participation in an "Adopt a Highway" program).

12. Any use permitted as of right or by special permit in a Highway Business District shall also be permitted as of right or by special permit in a Neighborhood Business District in a Planned Business Development or Shopping Center meeting the requirements of this Section XI., F; or take any other action relative thereto.

Petitioner: Roger Sherman, et al., Trustee, Route 139 Realty Trust  
285 Commandants Way, Chelsea, MA  
Represented by Attorney Barry R. Crimmins  
January 3, 2011

You are hereby directed to serve this warrant by posting attested copies hereof at not less than nine public places in the Town, seven, days, at least, before the time of holding said meeting and you are hereby directed to have three hundred copies brought to the meeting for distribution.



Hereof fail not and make due return of this Election and Annual Town Meeting Warrant with your doings thereon to the Town Clerk at the meeting aforesaid.

Given under our hands this 1st day of February in the year of Our Lord Two Thousand and Eleven at Stoughton, Massachusetts.

STOUGHTON BOARD OF SELECTMEN

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Stephen G. Anastos, Chairman

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Cynthia A. Walsh, Vice-Chairman

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John D. Anderson

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John M. Anzivino

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John J. Stagnone

A true copy. Attest:

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Cheryl A. Mooney, Town Clerk

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Lawrence Verdun, Constable